

AO 440 (Rev. 06/12) Summons in a Civil Action

## UNITED STATES DISTRICT COURT

for the  
Western District of Texas

The State of Texas

\_\_\_\_\_  
*Plaintiff(s)*

v.

U.S. Department of Homeland Security, et al.

\_\_\_\_\_  
*Defendant(s)*

Civil Action No. 2:23-cv-00055

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Alejandro Mayorkas, in his Official Capacity as Secretary of Homeland Security  
by registered or certified mail to:  
c/o United States Attorney General  
950 Pennsylvania Ave, NW  
Washington, DC 20530-0001

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Ryan D. Walters  
Office of the Attorney General  
Special Litigation Division  
PO Box 12548, Capitol Station  
Austin, TX 78711-2548  
ryan.walters@oag.texas.gov

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT, PHILIP J. DEVLIN

Date: 10/26/23

  
Signature of Clerk or Deputy Clerk


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Civil Action No. 2:23-cv-00055

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Alejandro Mayorkas, in his Official Capacity as Secretary of Homeland Security  
 was received by me on *(date)* 10/26/23.

☒ I personally served the summons on the individual at *(place)* c/o Atty General of US  
950 Pennsylvania Ave, NW, Washington, DC 20530-0001 on *(date)* 10/30/23; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_,  
 a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: 10/30/23

/s/ Ryan D. Walters

*Server's signature*

Ryan D. Walters, Chief for Special Litigation Division

*Printed name and title*

Office of the Attorney General  
 PO Box 12548, Capitol Station  
 Austin, TX 78711-2548

*Server's address*

Additional information regarding attempted service, etc:

On October 27, 2023, I served this summons, Plaintiff's Original Complaint, Plaintiff's Motion for Preliminary Injunction or Stay of Agency Action and Appendix, and Plaintiff's Emergency Motion for a Temporary Restraining Order or Stay of Agency Action and Appendix; via Certified Mail, Return Receipt Requested - 7004 1160 0000 7307 7490-Delivered 10/30/23.

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT  
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE**CERTIFIED MAIL™**7004 1160 0000 7307 7490  
7004 1160 0000 7307 7490**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)For delivery information visit our website at [www.usps.com](http://www.usps.com)**OFFICIAL USE**

Postage \$

(Enc) Alejandro Mayorkas, in his Official Capacity  
(Enc) as Secretary of Homeland Security  
(Enc) c/o Atty General of US  
950 Pennsylvania Ave NW  
Washington, DC 20530-0001  
To

Sent To

Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+4

PS Form 3800, June 2002

See Reverse for Instructions

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

**1. Article Addressed to:**Alejandro Mayorkas, in his Official Capacity  
as Secretary of Homeland Security  
c/o Atty General of US  
950 Pennsylvania Ave. NW  
Washington, DC 20530-0001

9590 9402 6326 0296 0611 86

**2. Article Number (Transfer from service label)**

7004 1160 0000 7307 7490

PS Form 3811, July 2020 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY****A. Signature****X**☐ Agent☐ Addressee**B. Received by (Printed Name)****C. Date of Delivery****D. Is delivery address different from item 1?** ☐ Yes  
If YES, enter delivery address below: ☐ No**3. Service Type**

- ☐ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery
- ☐ Restricted Delivery

☐ Priority Mail Express®☒ Registered Mail™☐ Registered Mail Restricted Delivery☐ Signature Confirmation™☐ Signature Confirmation Restricted Delivery☐ Restricted Delivery

Domestic Return Receipt



FAQs >

Tracking Number:

Remove X

**70041160000073077490**

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Add to Informed Delivery (<https://informedelivery.usps.com/>)

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Your item was delivered to the front desk, reception area, or mail room at 6:41 am on October 30, 2023 in WASHINGTON, DC 20528.

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### Delivered

**Delivered, Front Desk/Reception/Mail Room**

WASHINGTON, DC 20528  
October 30, 2023, 6:41 am

### Redelivery Scheduled for Next Business Day

WASHINGTON, DC 20528  
October 29, 2023, 9:57 am

### Arrived at Hub

WASHINGTON, DC 20018  
October 29, 2023, 8:24 am

### Arrived at USPS Regional Facility

WASHINGTON DC DISTRIBUTION CENTER  
October 29, 2023, 1:57 am

### Departed USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER  
October 28, 2023, 8:04 am

### Arrived at USPS Regional Facility

AUSTIN TX DISTRIBUTION CENTER  
October 28, 2023, 2:03 am

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## Need More Help?

Contact USPS Tracking support for further assistance.

**FAQs**